REMARKS

Summary of the Office Action

In the non-final Office Action of October 9, 2008, claims 1-43 were rejected under 35 U.S.C. § 102(e). The Specification was objected to for allegedly containing an embedded hyperlink.

Claims 1-43 are currently pending.

Applicants' Response

Applicants' representatives would like to thank the Examiner for the courtesy extended during the telephonic interview which took place on December 1, 2008. As noted in the Examiner's Interview Summary of December 5, 2008, during the interview, the Examiner inquired about the "creat[ing] multimedia object descriptions from ... multimedia information" features in the present claims. As discussed during the telephonic interview, Applicants respectfully submit that these features are described throughout the application and its incorporated references. (*See* e.g., page 26 of the Specification, PCT/US99/22264 (incorporated by reference) and U.S. Patent Application No. 09/405,555 (incorporated by reference)).

In this response, Applicants address the Examiner's rejections and objections. Applicants have amended the specification to overcome the Examiner's objection and to remove the embedded hyperlink. No new matter has been added by this amendment. Applicants respectfully submit that the prior art cited by the Examiner does not anticipate pending claims 1-43. Applicants respectfully traverse the prior art and request reconsideration and withdrawal of the rejection based on the foregoing amendments to the specification, per the Examiner's comments, and following remarks.

Rejections under 35 U.S.C. § 102(e) in view of Beranek

Claims 1-43 were rejected under 35 U.S.C. § 102(e) as allegedly anticipated by U.S. Patent No. 6,886,013 to Beranek. ("Beranek").

In order to show that claims 1-43 are anticipated, the Examiner must show that "each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." MPEP § 2131; *Verdegall Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987).

Applicants respectfully submit that Beranek does not show "each and every element" of the claims.

Independent claims 1, 17, and 33

Independent claim 1 is directed to a system for creating a description record from multimedia information. Among other things, the system of claim 1 comprises a computer processor that processes said multimedia information by performing object extraction processing to create multimedia object descriptions from said multimedia information, and processing said created multimedia object descriptions by object hierarchy processing to create multimedia object hierarchy descriptions indicative of an organization of said object descriptions wherein at least one description record including said multimedia object descriptions and said multimedia object hierarchy descriptions is created for content embedded within said multimedia information. Independent claims 17 and 33 recite similar features.

In the Office Action, the Examiner cites a number of figures and passages in Beranek as allegedly disclosing these features. Applicants respectfully disagree with the rejections of record.

Beranek is directed to a method of controlling how a web document is displayed on a client web browser. The method described in Beranek uses a HTTP caching proxy to intercept a web document and dynamically rewrite it before it is displayed in a web browser. (*See* Beranek, Abstract).

In the Background of the Invention, Beranek provides helpful insight regarding the problem to be solved by the invention described:

> Web page authors design their Web content using standard design constraints and HTML formatting constructs. Nevertheless, it is quite often the case that a given Web page looks different when viewed on different client machines, e.g., a workstation computer running Netscape Navigator™ and a personal computer connected to America OnLine™ and running an AOL-supplied browser. As a result of the differences between browser applications, webdesigners must often design multiple versions of the same or similar content in order to attempt to maintain consistent content display across different browser types. As a corollary, these multiple Web page versions must then be supported on a given server, and this results in slower page access time and often redundant or wasted Web site storage capacity.
>
> The problem of presenting Web content in a consistent manner across multiple display system formats is exacerbated as more and more machines (such as conventional television-based systems) are provided with the capability of displaying such content. Therefore, although the goal of providing a simple-to-use and inexpensive Web"appliance" is laudable, existing techniques and display methods do not address this problem.
>
> It would be highly desirable to provide a mechanism for processing a Web document such as is retrieved from a Web server in order to modify its display characteristics in a dynamic manner before delivery to the browser. Such a mechanism would have particular utility in that it would obviate generation and storage of multiple versions of a particular Web page yet ensure that the page is displayed consistently across multiple Web content display system types."

(Beranek, col. 1, line 45- col. 2, line 9, emphasis added).

Accordingly, Beranek is directed to a very specific problem, controlling the appearance of a web document in a web browser to account for differences in client-side browser software, entirely different from the subject matter of the present claims.

Further, regarding the preferred embodiment, Beranek describes:

> "[t]he method uses the client side HTTP caching proxy to intercept the Web document and then dynamically rewrite the document before it is displayed on the browser...the HTML is parsed to identify the format of the document and the information therein. A filter mechanism is then used to reformat the Web document according to some given protocol or filter property, and the re-formatted Web document is then passed to the browser for display." (Beranek, col. 2, line 67-col. 3, line 8)

Applicants respectfully submit that the web page reformatting method described in Beranek fails to describe the extraction of objects from video or images, or the description of those objects. Instead of describing object extraction processing and the creation of multimedia object descriptions as featured in claim 1, Beranek merely describes the use of Dynamic HTML to control the appearance of websites.

In another cited passage, Beranek further describes:

> [a]ccording to the present invention, the proxy 225 intercepts a Web document as it is received from the computer network and processes this document in order to control how the document is then presented on the browser. This enables the proxy to dynamically adjust the "look and feel" of a given Web document at the client side of the connection, irrespective of how the Web document is formatted and supported on the Web server. (Beranek, col. 8, lines 37-44)

This portion of Beranek also describes a procedure for controlling and modifying

the appearance of a web page and is unrelated to the feature of "performing object extraction processing to create multimedia object descriptions" as recited in claims 1 and 17 or "one or more multimedia object descriptions, created by performing object extraction" as recited in claim 33.

Another passage cited by the Examiner describes the use of a "filter mechanism" in a proxy. Specifically, Beranek describes, "[a] particular operation of the filter mechanism 229 of the proxy 225 is to re-format a retrieved HTML document before that document is presented on the browser." (Beranek, col. 9, lines 7-9). Beranek further describes, "[a]ccording to the present invention, the caching proxy includes the filter mechanism 229 for receiving a Web document formatted according to HTML, identifying the HTML tags (such as described above), re-formatting the Web document by modifying one or more characteristics of original HTML, and then passing the modified Web document to the browser for display." (Beranek, col. 9, lines 51-57). It is unclear to Applicants exactly which features of claims 1, 17, and 33 that the Examiner believes the cited passages relate to, but the use of a filter to reformat a web document as described in Beranek at least fails to disclose or suggest object extraction processing to create multimedia object descriptions from said multimedia information as featured in claim 1 or similar features in claims 17 and 33.

Other passages cited by the Examiner describe the use of dynamic HTML to modify web page appearance and the insertion of "display objects" (e.g., text, graphics, animation or other content) into a web page as part of the described web page modification. (*See* Beranek, col. 12, lines 25-60; col. 13, lines 40-60). Again, however, these passages are directed to a procedure for controlling and modifying the appearance of a web page, and are therefore unrelated to the feature of "performing object extraction processing to create multimedia object descriptions" as recited in claims 1 and 17 or "one or more multimedia object descriptions, created by performing object extraction" as recited in

claim 33.

For at least these reasons, Applicants respectfully submit that Beranek fails to disclose or suggest all elements of independent claims 1, 17, 33 and their corresponding dependent claims. Beranek therefore cannot anticipate the subject matter of claims 1-43 for at least these reasons. Applicants respectfully submit that this alone is sufficient basis to overcome all rejections of record.

Further, claims 1 and 17 also recite "processing said created multimedia object descriptions by object hierarchy processing to create multimedia object descriptions, indicative of an organization of said object descriptions, wherein at least one description record including said multimedia object descriptions and said multimedia object hierarchy descriptions is created for content embedded within said multimedia information..."

As discussed above, because Beranek fails to disclose or suggest *creating* "multimedia object descriptions," Beranek cannot possibly disclose or suggest "*processing* said created multimedia object descriptions." For at least this additional reason, this additional feature of claims 1 and 17 is not disclosed or suggested by Beranek.

Accordingly, because Beranek fails to disclose or suggest at least these claimed features, Beranek fails to anticipate independent claims 1, 17 and 33. Additionally, because all dependent claims contain the foregoing limitations through dependency from the independent claims, Applicants respectfully submit that the rejections of record should be withdrawn as to all claims. Moreover, for the reasons expressed herein above, Applicants note that Beranek also fails to disclose or suggest numerous other features of the claims, including, for example, image segmentation processing as featured in dependent claims 7 and 23.

Based on the foregoing Amendment and Remarks, Applicants traverse the Examiner's rejections of claims 1-43 under 35 U.S.C. §102(e).

CONCLUSION

In view of the foregoing remarks, favorable consideration and allowance of claims 1-43 are respectfully solicited. In the event that the application is not deemed in condition for allowance, the Examiner is invited to contact the undersigned in an effort to advance the prosecution of this application.

Respectfully submitted,

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